

IN THE UNITED STATES DISTRICT COURT  
WESTERN DIVISION OF ARKANSAS  
EL DORADO DIVISION

MARK ANTHONY WILLIAMS

PLAINTIFF

VS.

Civil No. 05-CV-1060

DAVID W. TALLEY, JR.

DEFENDANT

**ORDER**

Now on this 22nd day of February, 2006, comes on for consideration the proposed findings and recommendations filed herein on February 3, 2006, by the Honorable Bobby E. Shepherd, United States Magistrate Judge for the Western District of Arkansas. Ten (10) days having passed without objections being filed by the parties, the court hereby adopts in toto the findings and recommendations.

Accordingly, the court finds that the plaintiff's complaint should be and hereby is dismissed as frivolous and for failing to state a claim. *See* 28 U.S.C. § 1915(e)(2)(B)(i)-(iii)(IFP action, or any portion thereof, may be dismissed on such grounds at any time).

IT IS SO ORDERED.

/s/ Harry F. Barnes  
**HARRY F. BARNES**  
**U.S. DISTRICT JUDGE**